HCJ & RSR,J

Per G.S. Singhvi, CJ

This appeal is directed against order dated 21-11-2005 passed by the learned Single Judge in W.V.M.P. No.2858 of 2005 and W.P.M.P. No.32185 of 2004 vide which he vacated
ad-interim order dated 29-12-2004 passed in favour of the appellants.

In the course of hearing, learned Government Pleader for Land Acquisition made a statement that the acquisition proceedings have been finalized and award has been passed by the Land Acquisition Collector. Learned counsel for respondents 4 and 5 says that the work of lift irrigation project had been stalled on account of the ad-interim order passed by the learned Single Judge and no error has been committed by the learned Single Judge by vacating the
ad-interim order which would enable the respondents to complete the project at an early date.

In the facts and circumstances of the case, we are of the view that the learned Single Judge did not commit any jurisdictional error by vacating the ad-interim order and there is no valid ground to entertain the appellants' challenge.

Consequently, the appeal is dismissed. However, keeping in view the nature of the issue raised in the main petition, we direct that W.P. No.24573 of 2004 be listed for hearing before the appropriate Single Bench on 27-12-2005 as per roaster. Learned counsel for the appellants is given liberty to make a request to the Hon'ble Single Bench for out of turn hearing.

G.S. SINGHVI, C.J.

Date:20-12-2005

R. SUBHASH REDDY, J

PV

HONOURABLE SRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE R. SUBHASH REDDY

WRIT APPEAL No.2568 OF 2005

Between:

Kondagallu Yellappa, S/o. Sangalappa,

aged about 40 years, Occ: Agriculture,

R/o. Sangla, H/o. Palukododdi,

Kurnool District & another

.. Appellants

AND

The District Collector, Kurnool & 4 others

.. Respondents

::JUDGMENT::

Counsel for the appellants : Mr. B. Narasimha Sharma

Counsel for Respondents 1 to 3: G.P. for Land Acquisition

Counsel for Respondents 4 & 5 : Mr. Taddi Nageswara Rao

20th December, 2005